

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NATHAN JOVEE,

Plaintiff,

v.

SNOHOMISH COUNTY, *et al.*,

Defendants.

CASE NO. 2:21-cv-01590-RSM-JRC

ORDER TO CORRECT CLERICAL
ERROR

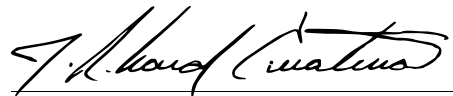
This matter is before the Court *sua sponte*.

Plaintiff filed a notice of voluntary dismissal on January 31, 2022. *See* Dkt. 85. Fed. R. Civ. P. 41(a) generally provides that if a plaintiff requests a voluntary dismissal of claims against a defendant before that defendant has served an answer or a motion for summary judgment, the dismissal is self-executing and does not require a Court order. The dismissal is also self-executing if plaintiff and all parties who have appeared stipulate to the dismissal. But the dismissal requires a Court order to be effective, otherwise.

1 Here, certain defendants listed in the notice of dismissal have filed answers in this matter.
2 Yet, for reasons that appear to be attributable to a clerical mistake, these defendants have been
3 terminated from this matter without a Court order.

4 Therefore, pursuant to the Court's inherent authority to correct this error at any time
5 (with or without notice) (*see* Fed. R. Civ. P. 60(a)) and in order to efficiently resolve this matter,
6 the Court corrects the error as follows. The Clerk's Office should update the docket to reflect
7 that defendants Appel, Bui, Everett District Court, Farris, Gibbs, Harness, Langbehn, Liebsack,
8 Meeker, Micheli, Moriarty, Nelson, Norris, Snohomish County, Snohomish County Superior
9 Court, Somers, Sullivan, Waggoner, Weiss, DeBlieck, Department of Social and Health
10 Services, Majors, Office of Administrative Hearings, and Shaha have *not* been terminated from
11 this action, as the notice of dismissal was not self-executing as related to defendants who have
12 already answered the complaint. The notice of voluntary dismissal should also be noted as a
13 motion for the Court's consideration on **April 4, 2022**, inasmuch as it pertains to these
14 defendants. *See* Dkt. 85.

15 Dated this 11th day of February, 2022.

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18 J. Richard Creatura
19 Chief United States Magistrate Judge
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